

Notice of Allowability

Application No.

08/889,033

Examiner

Tung Vo

Applicant(s)

FRAZZITTA ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview on 06/28/2010.
2. ☒ The allowed claim(s) is/are 19, 24-27, 40, 50-54.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>06/28/2010</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Tung Vo/
Primary Examiner, Art Unit 2621

/Mehrdad Dastouri/
Supervisory Patent Examiner, Art Unit 2621

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Wasil on 06/28/2010.

The application has been amended as follows:

IN CLAIM

Claims 1-18 are canceled.

Claim 19, line 6, after "receiving device," insert -- a plurality of customer stations, wherein each of the customer stations is in operative connection with the SP station,--;

line 7, before "at least one" insert -- wherein--, after "station" delete "including:" and insert -- of the plurality of customer stations includes:--;

line 18, after "a building," insert -- wherein the plurality of customer stations are in the building, --;

line 21, before "customer station", insert -- at least one--;

line 24, after "device of the" insert -- at least one--;

line 25, after "area in" insert -- operatively--;

line 28, after "wherein the" insert -- at least one--;

lines 29-30, delete "a plurality of customer stations in the building, wherein each of the customer stations is in operative connection with the SP station".

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Claims 20-23 are canceled.

Claim 24, line 6, after "receiving device," insert-- customer stations in operative with the SP station;

wherein each of a plurality of the customer stations include a device actuatable by a customer at a customer station, ";

line 7, before "at least one" insert – wherein--, after "station" delete "including:" and insert – of the customer stations includes:--;

line 16, after "between the" insert – at least one--;

line 22, after "device of the" insert -- at least one--;

line 23, after "area in" insert – operatively--;

lines 24 and 25, delete " a plurality of customer stations in operative connection with the station, and wherein each customer station includes a device actuatable by a customer at a customer station,";

line 32, after "devices at the" insert – plurality of the --.

Claim 25, lines 4, after "of the" insert – plurality of the--.

Claims 28-39 are canceled.

Claim 40, line 6, after " receiving device," insert – customer stations,--;

line 7, before "at least one" insert – wherein--, after "station" delete "including:" and insert – of the customer stations includes:--;

line 22, after "device of the" insert --at least one--; and after "area in" insert -- operatively--;

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lines 24-25, after “ a plurality of” insert – the--; after “the interior area” delete “of the building”;

line 25, after “wherein each” insert --of the plurality of the--;

line 33, after "between the" insert -- respective--.

Claim 41-49 are canceled.

Claim 50, line 20, after “device is” insert – operative --;

line 25, after “ terminal is in” insert – operatively--;

Claim 54, line 4, after “interface is” insert --operative--.

2. The following is an examiner’s statement of reasons for allowance: the cited prior art does not disclose the claimed limitations in claims 19 and 40, as set forth in the board decision mailed on September 21, 2007, 24 and 50 as presented by the applicant in the remarks filed on 09/21/2009.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Wednesday, Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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